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Attorneys for Defendants
CLARE E. CONNORS and
AL CUMMINGS, in their official capacities

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAII

ANDREW TETER and
JAMES GRELL,

Plaintiffs,

v.

CLARE E. CONNORS, in her
Official Capacity as the Attorney
General of the State of Hawaii, and
AL CUMMINGS, in his Official
Capacity as the State Sheriff Division
Administrator,

Defendants.

Civil No. CV19-00183-ACK-WRP

DEFENDANTS CLARE E. CONNORS
AND AL CUMMINGS', IN THEIR
OFFICIAL CAPACITIES, CONCISE
STATEMENT OF MATERIAL FACTS
IN SUPPORT OF MOTION FOR
SUMMARY JUDGMENT;
DECLARATION OF RYAN M.
AKAMINE; EXHIBITS "A"- "T";
CERTIFICATE OF SERVICE

Judge: Honorable Alan C. Kay
Trial: June 16, 2020 at 9:00 AM

DEFENDANTS CLARE E. CONNORS AND AL CUMMINGS', IN THEIR
OFFICIAL CAPACITIES, CONCISE STATEMENT OF MATERIAL FACTS IN
SUPPORT OF MOTION FOR SUMMARY JUDGMENT

Defendants CLARE E. CONNORS, in her official capacity as the Attorney General of the State of Hawaii, and AL CUMMINGS, in his official capacity as the State Sheriff Division Administrator, by and through their attorneys Clare E. Connors, Attorney General, and Caron M. Inagaki and Ryan M. Akamine, Deputy Attorneys General, pursuant to Local Rule 56.1, state that the material facts for this Court's determination of the issues presented on summary judgment are:

<u>FACTS</u>	<u>EVIDENTIARY SUPPORT</u>
1. Plaintiffs filed their complaint on April 10, 2019.	<i>See</i> ECF 1.
2. Butterfly knives are banned in Hawaii pursuant to state law. See H.R.S. § 134-53.	<i>See</i> ECF No. 1, paragraph 52.
3. Plaintiffs challenge the constitutional validity and enforcement of H.R.S. § 134-53.	<i>See</i> ECF 1.
4. Defendants deny that Plaintiffs' rights under the Second Amendment or 42 U.S.C. § 1983 are being violated, deny that Plaintiffs are entitled to preliminary and injunctive relief, and deny that Plaintiffs are entitled to a declaratory ruling by the court.	<i>See</i> ECF No. 17, paragraph 17.

<p>5. Defendants deny that Plaintiffs are entitled to declaratory relief, or that there is a substantial likelihood that Plaintiffs will suffer irreparable injury in the future, and deny all remaining allegations contained therein.</p>	<p><i>See</i> ECF No. 17, paragraph 18.</p>
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Dated: Honolulu, Hawaii, January 15, 2020.

STATE OF HAWAII

CLARE E. CONNORS
Attorney General of Hawaii

/s/ Ryan M. Akamine

CARON M. INAGAKI
RYAN M. AKAMINE
Deputy Attorneys General

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AL CUMMINGS, in their official
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